

Fax to: USPTO@ 571 273 8300

Attn: Mr. Pinkal Chokshi

PTOL-413A (10-08)

Approved for use through 11/30/2008, OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/519,393First Named Applicant: Huo, ShuyaExaminer: Chokshi, Pinkal Art Unit: 2623Status of Application: Examination

Tentative Participants:

(1) Shuya Huo

(2) _____

(3) _____

(4) _____

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Proposed Date of Interview: 11-10-2008Proposed Time: 1:00 pm AM/PM

Type of Interview Requested:

(1) ☐ Telephonic(2) ☒ Personal(3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated:

☒ YES☐ NOIf yes, provide brief description: Amended application for EPO

Issues To Be Discussed

Issues (Rej., Obj., et.)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>See Attachments</u>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Same as above</u>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>//</u>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) <u>//</u>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

Brief Description of Argument to be Presented:

See Attachment

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 13.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Representative Signature

Shuya Huo

Typed/Printed Name of Applicant or Representative

Examiner/SPE Signature

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is guaranteed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Total Pages: 5 Drops.

Attachment (To Examiner: Mr. Pinkal Chokshi)

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Notes to Examiner Letter dated 9-18-2008 By Item Numbers:

Marks	Note amendment to the Numbered Items from your letter
Obj. Drawing. Agree.	1. Separate Drawing figs 3 and 4 using New Sheet. (Number can be renumbered)
Obj. Claims 1 & 7. Agree.	2. Separate the Method claim out of the old claim. See the amended claim in my EPO filing. 3. "Enable rule".
Rej. Claims 1-7. Agree.	4. Dealpack and packengine clarification. Refer my new specification for EPO, yet follow USPTO amendment requirements. 5. "claim rule".
Rej. Claims 1-7. Agree.	6. use rewritten claims for EPO, but follow US Amendment requirements.
Formality. Discuss.	7. same as above
Formality. Discuss.	8. Change the Such as... etc. delete it.
Phrase unclear. Discuss.	9. Need clarify the "insufficient antecedent basis"
Attorney. Discuss.	10. Used an attorney before, previous problem and cash flow problem, can't have one right now, can I do by myself? 11. "non-obvious rule".
Rej. Claims 1-7. Discuss	12. See below for my note per your letter Item 12, paragraph by paragraph.

12.1. Shu's system is process based system with sub processes that is different from Kenner's. The title of it should change to "A Network Subscriber Electronic Information Item Selection for Trade and the Traded Item Controlled Access Among Different Subscription Networks."

12.2. The Software mean of Shu's can be a new module of the traditional EPG providing innovative selection process.

12.3. On Shu's Selection Process, there is fundamental difference between Shu's and the Herz's and Kenner's. Here are the comparison:

On Herz's

Item to compare	Shu's	Herz's	Note
1. the content pool	the whole line up (list1)	The whole lineup (list1)	
2. the select to watch list:	By subscriber's manual or auto selection(list 2)	Auto by subscriber's profile auto selection(list2, the "virtual channels")	Both are small subset of the whole lineup.
3. The select to not watch list	The rest of the list1 (list 3)	the rest of list 2 (list3')	Herz's does not have list3
4. the use:	sent out to trade the list3 items	list3' sent back to list1	No further use of list3' items in

			term of trade outside the network
5. the position	entirely new application	can be part of Shu's auto selection module	

*** The difference is the list 3, and list 3'. list 3's is part of list 2. List 3 is part of list 1. the list 3' is not used after sent back to list 1, its use is only for update the the sub's profile, but list 3 is not sent back to list 1, instead it is sent out to process by packengine process and used for further trading within or outside the network.

ON Kenner's

	Shu's	Kenner's
A. the use	The list for trade is 3	The list for share is list3'
B. Who use it	subscribers to buy list3 items are from other networks	Subscribers to share is in the same network
C. Where it is used	list3 is sent out to trade on a trading network	list3' is in the same network.
D. Commerce?	Yes, Seller side subscriber application	No commerce, it is Buyer side subscriber application.
Note	New application	can be part of Shu's buyer side application.

12.4. Shu's secret key process is different from Kenner's in term of its formation elements and its use, which are different from Kenner's: the element of seller-side subscriber key or id, the element of payment verification, the element of item time-tag, are totally new items that the Kenner's doesn't have. Shu's key process provide seamless access from buyer-side subscriber to the seller-side subscriber's selling content without the buyer-side network operator's extra processing of the content. Kenner's, as group buyer, once registered on the trading network of Shu's system all kenner's subscribers shall be able to access the content for sale of the selling-subscribers that has also joined the Shu's trading network. Another way to implement this is to not use Shu's secret key process, instead provide the content to group buyer's who want to do the content protection by themselves, such as those cable and satellite network operators.

12.5. Kenner's system is a VOD distribution system that has a distributed servers in a geographically scattered regions where clips of video files are stored and retrieved, with logics at control point that monitor the server storage of clips at restricted minimum level with high demand clips stored and copies at various distributed servers and less demand clips deleted and updated constantly. Local users access the same clips at local storage server and if its load excess the limit, the access is send to closed other server storages on the same network. There is no purposely select clips for not use and sent it out to trade" in Kenner's. There is no description of "users trade with each other" also. There is no touch at all of The range 3 content of Shu's.

12.6. Modification of Shu's in accordance of Shu's EPO application Modified. OK to modify?

12.7. This is merely a description of more choices of access interfaces to access the "selection process" rather than just remote of TV.

12.8. Similar to above 12.5., there is no trade for the same video clip stored at

the local SRU for user 1 and user 2 of the same subscription network, they both subscribers of the same network and they share the access of the same local clip, if the access limit is reached, the access is diverted to other SRU with the same clip. Where Shu's is different from Kenner's in term of the user 1 is from one subscription network, user 2 is from another subscription network and there is trading happen between the two users of Shu's.

12.9. It is entirely different process. In Kenner's, there is no seller-side key element, no time tag, no payment verification in the key forming process and its use.

12.10. OK but in different context.

12.11. OK but in different context.

12.12. OK but in different context. Shu's content is coming from the Seller-side selling items processed by the pacEngine process, and Herz's is coming from other source. (could be from Shu's source).

12.13. The data generated differently. Herz's data source could be from Shu's.

12.14. Shu's "selection process" is not in any existing EPG, and it will be a new module of the EPG. Herz's EPG is limited to the traditional EPG.

12.15. The Herz's described is that if the user does not watch the program at certain time, the matrix agreement is updated so the old virtual channel shall be replace (or) by new virtual channel. There is no further sending out the program interested or not interested for further processing to trade.

12.16. There is no trade among different users of the same local SRU and there is limit for the access, when excess the limit, local users shall be diverted to other SRU. There is no "selection process in front of it, and there clip stored on the same local SRU are not sent out to a 3rd network and trade with 2nd network subscribers, but merely stay and accessed by the same network subscribers.

12.17. same answer as above 12.4..

12.18. OK but under different context.

12.19. OK but under different context.

12. OK but under different context.

Conclusion. Discuss

13. See below of my remarks.

The Herz's system is a new Automatic EPG that is based on the "average user's" initial survey inputs for interested programs and appetites to provide a pool of programs for the "average users" subscription. It also provides a "matrix agreement" to help automatically monitor and update the users changed interest and appetites vs. supply of the available contents to provide a subset of content data of virtual channels to the users to select and watch. It states clear in its description and claims that they want to provide high volume of available content data from which to generate the subset of the most desired content data to provide the minimized virtual channels for customer easy selection of interested channels.

Kenner's system is a VOD distribution system that has a distributed servers in a geographically scattered regions where clips of video files are stored and retrieved, with logics at control point that monitor the server storage of clips at restricted minimum level with high demand clips stored and copies at various distributed servers to reduce the traffics and with less demand clips deleted and updated constantly. Local users access the same clips at local storage server and if load excess the limit, the access is send to closed other server storages on the same network.

Shu's System and process is basically a subscriber selection process, that allow TV network subscribers or Internet ISP subscribers select those for use item and put the for-not-use item into a sub process to modify into saleable package and listed on a portal for sale, buyers can access those packages via a secret key process that come with the packages controlled by the operation center.

All above 3 systems have selection items for immediate watch. Only Shu's system's

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Selection process has the steps to further put those un-selected items into a packaging process to further processing into saleable forms. All three of the system have secret key access for the subscribed items, but only Shu's system has a secret key system that come with the saleable package with seamless access by the buyer-side subscriber to the seller-side subscriber's for saleable package. Non of Herz's or Kernner's has further processing of the "for-not-use" items and non of their system have a secret key that come with the saleable package with seller-side subscriber key and time-tag as elements existing in their key formation and processing process.

The conclusion is that Shu's system is entirely different process. Anyhow, Herz's system can be used as a module of Shu's EPG for easy select those for use programs, where Kernner's system can be the down line of Shu's process, meaning it can be a group buyer to buy from Shu's trading portal of those for trade program packages.

Other questions:

1. adding examples with same technical features and effects, not fully disclosed, OK?
2. Further describe the already described matters, features and functionalities in more details in text and drawings, OK?
3. Under the primary problem solved, there are related subproblem need to solve, can this sub problem/solution be added?
4. Continuation in part can use the current patent date as its original date?
5. amendment include the cited patent as prior art, OK?